

MINUTES OF THE REGULAR MEETING OF THE FAIRFAX COUNTY
REDEVELOPMENT AND HOUSING AUTHORITY

July 29, 2004

On July 29, 2004, the Commissioners of the Fairfax County Redevelopment and Housing Authority (FCRHA) met in the FCRHA Board Room, One University Plaza, 4500 University Drive, Fairfax, Virginia, at 7:00 p.m., for its annual meeting.

CALL TO ORDER

FCRHA Chair Conrad Egan called the annual meeting of the FCRHA to order at 7:00 p.m. FCRHA Commissioners present or absent for a portion or all of the meeting were as follows:

PRESENT

Conrad Egan
Ronald Christian
Martin Dunn
Willard Jasper
John Kershenstein
H. Charlen Kyle
Elisabeth Lardner
John Litzenberger, Jr.
Al McAloon
Joan Sellers *

ABSENT

Lee A. Rau

*Commissioner Sellers arrived at 7:10 p.m.

Also present at the meeting were the following staff of the Department of Housing and Community Development (HCD): Paula C. Sampson, Director; Mary A. Stevens, Deputy Director; Harry Swanson, Deputy Director, Revitalization and Real Estate; Kristina Norvell, Director of Public Affairs; Michael Finkle, Director of Housing Management Division; James Hall, Chief, Housing Services Branch; Anne Morrison, Asset Manager; John Payne, Director, Design, Development and Construction Division (DD&C), Michael Pearman, Management Analyst, Real Estate and Grants Management Division (REFGM); Barbara Silberzahn, Chief, Homeownership and Relocation Services (H&RS); Bonnie Conrad, Program Manager, (H&RS); and Winifred A. Clement, FCRHA Assistant. Other Fairfax County staff in attendance included; David Bobzien, County Attorney, Alan Weiss and David Stroh, Assistant County Attorneys, FCRHA Counsels.

ELECTION OF OFFICERS

Commissioner Egan turned the gavel over to the Vice Chairman, Commissioner Christian, to chair the meeting since he (Commissioner Egan) was a candidate for election. Nominations were opened for Chairman of the FCRHA. A motion was made by Commissioner Jasper, seconded by Commissioner Kershenstein, nominating Commissioner Egan as Chairman of the FCRHA. Another motion was made by Commissioner McAloon, seconded by Commissioner Dunn, to close the nominations for Chairman. A vote was taken and the motion carried unanimously.

A vote was taken on the motion to elect Commissioner Egan as Chair of the FCRHA as follows:

AYE

NAY

ABSTAIN

Conrad Egan
Ronald Christian
Martin Dunn
John Litzenberger
Willard Jasper
John Kershenstein
Charlen Kyle
Elisabeth Lardner
Albert McAloon

Commissioner Egan was reelected as Chair of the FCRHA. Vice-Chair Christian Congratulated Commissioner Egan for his re-election and turned the gavel over to him. Chairman Egan thanked his fellow Commissioners for re-electing him to another term of office.

Nominations were opened for Vice-Chair. A motion was made by Commissioner Kershenstein, seconded by Commissioner Kyle, nominating Commissioner Christian as Vice-Chair of the FCRHA.

A motion was made by Commissioner Jasper, seconded by Commissioner Kyle, to close the nominations for Vice-Chair and re-elect Commissioner Christian as the Vice-Chair of the FCRHA. The motion carried.

A vote was taken on the motion to elect Commissioner Christian as Vice-Chair as follows:

AYE

NAY

ABSTAIN

Conrad Egan
Martin Dunn
Kenneth Butler
Willard Jasper
John Kershenstein
Charlen Kyle
Elisabeth Lardner
John Litzenberger, Jr.
Albert McAloon

The motion carried and Commissioner Christian was elected Vice-Chair of the FCRHA. Commissioner Kershenstein and other Commissioners congratulated Mr. Christian for his re-election as Vice Chair of the FCRHA.

Commissioner Egan congratulated Mr Christian for his reelection as Vice Chair to the FCRHA. He thanked HCD staff, under the direction of HCD Director Paula Sampson and other Fairfax County staff, including the County attorney's office for the excellent service and cooperation they have given to his leadership.

Commissioner Christian also extended thanks for his re-election as Vice-Chair of the FCRHA and for their confidence in him. He extended thanks to the HCD staff for the good work over the course of the year.

The FCRHA Chair closed the elections at 7:08 p.m.

Commissioner Sellers arrived at 7:10 p.m. and apologized for missing the election and requested that the record show that had she been present during the elections, she would have voted to re-elect the Chair and Vice-Chair to their respective seats. The Chair closed the elections at 7:12 p.m.

APPROVAL OF MINUTES

A motion was made by Commissioner Sellers, seconded by Commissioner Jasper, to approve the minutes of the June 24, 2004 meeting as written. A vote was taken, and the motion carried, with Commissioner Kershenstein abstaining because he did not attend the meeting.

ADMINISTRATIVE ITEMS

1. RESOLUTION NUMBER 53-04

AMENDMENT TO THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY PURCHASING RESOLUTION TO CONFORM TO THE FAIRFAX COUNTY PURCHASING RESOLUTION

NOW, THEREFORE, BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) hereby:

- 1) adopts the Fairfax County Purchasing Resolution (hereinafter called the County Purchasing Resolution) with amendments dated July 12, 2004, which has been presented to the FCHRA Commissioners at or prior to this meeting, and incorporates the same as the FCRHA Purchasing Resolution; and
- 2) directs that County Purchasing Resolution shall hereinafter be referred to as the FCRHA Purchasing Resolution.

A motion was made by Commissioner Christian, seconded by Commissioner Kershenstein, that the FCRHA adopt Number 53-04.

Mary Stevens, HCD Deputy-Director, responded to questions from the Commissioner regarding the purchasing resolution.

A vote was taken after discussion, and the motion carried unanimously.

Responding to a question by Commissioner Kyle regarding who will chair the Finance Committee, Chairman Egan announced that Commissioner Dunn has agreed to chair the Finance committee, and that Commissioner Rau has agreed to replace Commissioner Dunn as Chair of the Planning and Development Committee.

2. RESOLUTION NUMBER 54-04

APPROVAL OF AN AMENDMENT TO THE
PROFESSIONAL AND CONSULTANT SERVICES LIST

BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) hereby adopts the Professional and Consultant Services List as presented to the FCRHA at its July 29, 2004 meeting.

A motion was made by Commissioner Jasper, seconded by Commissioner Dunn, that the FCRHA adopt Resolution Number 54-04.

A brief presentation on Resolution Number 54-04 was given by HCD Asset Manager Anne Morrison. After the presentation, Ms. Morrison responded to questions from the Commissioners.

A vote was taken after discussion, and the motion carried unanimously.

3. RESOLUTION NUMBER 55 -04

AUTHORIZATION TO SUBMIT SECTION 8 MANAGEMENT ASSESSMENT
PROGRAM (SEMAP) CERTIFICATION AND PUBLIC HOUSING ASSESSMENT
SYSTEM (PHAS) MANAGEMENT OPERATIONS CERTIFICATION TO THE U.S.
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority authorizes the submission of the Section 8 Management Assessment Program (SEMAP) certification and the Public Housing Assessment System (PHAS) Management Operations certification to the U.S. Department of Housing and Urban Development (HUD) for the fiscal year ending June 30, 2004.

A motion was made by Commissioner McAloon, seconded by Commissioner Jasper, to adopt Resolution Number 55-04. Michael Finkle, Director of Housing Management, HCD, gave a brief presentation on the resolution. After the presentation, Mr. Finkle responded to questions from the Commissioners.

Mr. Finkle explained that the SEMAP certification was marked draft because he was waiting for confirmation on one of the items. He mentioned that the clarification was obtained; the item did not change and is therefore no longer considered a draft. After his presentation, Mr. Finkle responded to questions from the Commissioners.

A vote was taken after discussion, and the motion carried unanimously.

CLOSED SESSION

A motion was made by Commissioner Dunn, seconded by Commissioner McAloon, that the Fairfax County Redevelopment and Housing Authority recess and go into Closed Session for:

- discussion and consideration, pursuant to Virginia Code Section 2.2-3711(A)(3), of the acquisition of real property for a public purpose located in Fairfax County at 7818 Liberty Springs Circle (Mount Vernon District) and 4006 Royal Lytham Drive (Sully District) where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the FCRHA, and
- for consultation with legal counsel and briefing by staff members pertaining to actual and probable litigation in connection with Appeal Application A 2003-MV-034 of the Board of Zoning Appeals, with regard to property located at 7818 Liberty Springs Circle in the Mount Vernon District pursuant to Virginia Code Section 2.2-3711(A)(7) where discussion in an open meeting would adversely affect the negotiating or litigating posture of the FCRHA and consultation pursuant to Virginia Code Section 2.2-3711(A)(7) with legal counsel to the FCRHA regarding specific legal matters in connection with such property requiring the provision of legal advice by such counsel.

The motion carried and the FCRHA went into Closed Session at 7:30 p.m.

OPEN MEETING RESUMED

A motion was made by Commissioner Dunn, seconded by Commissioner McAloon, that the members of the Fairfax County Redevelopment and Housing Authority certify that to the best of their knowledge only public business matters lawfully exempted from the open meeting requirements prescribed by the Virginia Freedom of Information Act and only matters identified in the motion to convene Closed Session were heard, discussed or considered by the Fairfax County Redevelopment and Housing Authority during Closed Session.

A vote was taken by roll call as follows:

AYE

NAY

ABSTAIN

Conrad Egan
Ronald Christian
Martin Dunn
Willard Jasper
John Kershenstein
Charlen Kyle
Elisabeth Lardner
John Litzenberger, Jr.
Albert McAloon
Joan Sellers

The motion carried, and the FCRHA resumed open meeting at 7:55 p.m.

ACTION ITEMS

1. RESOLUTION NUMBER 56-04

AUTHORIZATION TO NOT CURE THE DEFAULT ON THE PROPERTY; AND
AUTHORIZATION TO BID/PURCHASE AT THE FORECLOSURE SALE OF
4006 ROYAL LYTHAM DRIVE, FAIRFAX, VA 22033,
AN AFFORDABLE DWELLING UNIT (ADU) IN THE SULLY DISTRICT

BE IT HEREBY RESOLVED that the Fairfax County Redevelopment and
Housing Authority (FCRHA)

1. (a) Shall not take any action to cure the loan default on the Property; and
(b) Authorizes bidding at the foreclosure sale for the purchase of the
ADU Property not to exceed the amount presented by staff in closed
session; and
2. Authorizes the Chairman, Vice Chairman, or any Assistant Secretary, to
negotiate and to execute any and all documents necessary to purchase
the property as set forth herein; and
3. Authorizes drawing upon the line of credit at the SunTrust Bank, Fund
948, Private Financing, in the amount not to exceed an amount presented
by staff in closed session to cover acquisition and carrying costs to be
repaid from the sale of the unit as an ADU to a first-time homebuyer.

A motion was made by Commissioner Litzenberger, seconded by Commissioner Jasper, that the FCRHA adopt Resolution Number 56-04. A vote was taken, and the motion carried unanimously.

2. RESOLUTION NUMBER 57-04

AUTHORIZATION TO NOT CURE THE DEFAULT ON THE PROPERTY; AND
AUTHORIZATION TO NOT BID/PURCHASE AT THE FORECLOSURE SALE OF
7818 LIBERTY SPRINGS CIRCLE, ALEXANDRIA, VA 22306,
AN AFFORDABLE DWELLING UNIT (ADU) IN THE MOUNT VERNON DISTRICT

BE IT HEREBY RESOLVED that the Fairfax County Redevelopment and Housing Authority

- (a) Shall not take any action to cure the loan default on the Property; and
- (b) Shall not bid at the foreclosure sale for the purchase of the ADU Property.

A motion was made by Commissioner Lardner, seconded by Commissioner McAloon, that the FCRHA adopt Resolution Number 57-04. A vote was taken, and the motion carried unanimously.

3. RESOLUTION NUMBER 58-04

AUTHORIZATION OF THE COUNTY ATTORNEY TO INITIATE LEGAL
PROCEEDINGS ON BEHALF OF THE FCRHA TO ASSERT CLAIMS FOR
POTENTIAL PROCEEDS TO BE PAID TO THE FAIRFAX COUNTY HOUSING
TRUST FUND FROM THE PENDING FORECLOSURE OF THE PROPERTY
LOCATED AT 7818 LIBERTY SPRINGS CIRCLE (MOUNT VERNON DISTRICT)

BE IT RESOLVED THAT the Fairfax County Redevelopment and Housing Authority (FCRHA) hereby authorizes the County Attorney to proceed as deemed appropriate by the County Attorney, including the initiation of legal proceedings on behalf of the FCRHA to assert claims for potential proceeds to be paid to the Fairfax County Housing Trust Fund from the Pending foreclosure of the property located at 7818 Liberty Springs Circle in the Mount Vernon District, according to the terms and conditions outlined by the County Attorney in closed session.

A motion was made by Commissioner Lardner, seconded by Commissioner McAloon, to adopt Resolution Number 58-04. A vote was taken, and the motion carried unanimously.

Information Items:

1. Fairfax County Redevelopment and Housing Authority Meeting Summary
June 24, 2004
2. Contracts of \$50,000 or Less – *brief discussion*
3. Affordable Dwelling Unit (ADU) Tracking Report - *brief discussion*
4. At-Risk Housing Projects Semiannual Report: Status of the Project-Based Section 8, Section 221(d)(3)236, and Bond Financed Developments and Non-Subsidized Housing with Modest Rents in Fairfax County – *presentation by Michael Pearman, HCD Management Analyst, and brief discussion.*
5. Fairfax County Redevelopment and Housing Authority Calendars of Meetings for August and September 2004. *The Chairman announced that former Commissioner Butler will be attending the September 16 FCRHA meeting for his farewell ceremony. It was clarified that the BOS Revitalization Policy Committee meeting scheduled for August 2 was postponed to September 27 at 8:00 a.m. at the Fairfax County Government Center.*

BOARD MATTERS – See Attachment #1

ADJOURNMENT

A motion was made by Commissioner Sellers, seconded by Commissioner McAloon, to adjourn the meeting at 8:30 p.m. A vote was taken; the motion carried.

(Seal)

Conrad Egan, Chair

Paula C. Sampson, Assistant Secretary